

REMARKS

The Office Action dated May 19, 2005 has been carefully reviewed. Claims 19-37 are pending in this patent application. Reconsideration of this application is respectfully requested.

35 U.S.C. § 103 Rejection

Claims 19 and 29 were rejected under 35 U.S.C. § 103 as being unpatentable over Gustin et al. (U.S. Patent No. 5,897,625), in view of Stambler (U.S. Patent No. 5,267,314). Claims 20-28 and 30-37 were rejected under 35 U.S.C. § 103 as being unpatentable over Gustin et al. (U.S. Patent No. 5,897,625), in view of Stambler (U.S. Patent No. 5,267,314), and further in view of Walker et al. (U.S. Patent No. 6,193,155). Reconsideration of claims 19-37 is respectfully requested.

Discussion Regarding Patentability of claim 19

Claim 19 reads as follows:

A method of operating an electronic banking terminal, comprising the steps of:

- (a) operating said terminal to permit deposit of funds into a banking account in response to entry of a first PIN number into said terminal;
- (b) operating said terminal to permit deposit of funds into said banking account in response to entry of a second PIN number into said terminal, said first PIN number being different than said second PIN number;
- (c) operating said terminal to permit user withdrawal of funds up to a first dollar amount limit from said banking account in response to entry of said first PIN number into said terminal; and
- (d) operating said terminal to permit user withdrawal of funds up to a second dollar amount limit from said banking account in response to entry of said second PIN number into said terminal, wherein said first dollar amount limit is less than said second dollar amount limit.

It was stated in the Office Action that Gustin fails to teach steps (b) and (d) identified above. (See 5/19/05 Office Action at page 3, lines 1-6). However, it was stated in the Office Action that Stambler teaches step (b) above and reference was made to its column 2, lines 15-49 and column 4, lines 12-52, and further that Stambler teaches step (d) above and reference was made to its column 5, line 4 - column 6, line 15.

Stambler Does Not Teach Steps (b) and (d) of Applicant's Claim 19

Stambler discloses a transaction system wherein, when a transaction, document or thing needs to be authenticated, information associated with one or more of the parties involved is coded together to produce a joint code. This joint code is then utilized to code information relevant to the transaction, document or record, in order to produce a variable authentication number (VAN) at the initiation of the transaction. This VAN is thereafter associated with the transaction and is recorded on the document or thing, along with the original information that was coded. During subsequent stages of the transaction, only parties capable of reconstructing the joint code will be able to uncode the VAN properly in order to re-derive the information. The joint code serves to authenticate the parties, and the comparison of the re-derived information against the information recorded on the document serves to authenticate the accuracy of that information. (See, e.g., Stambler, ABSTRACT.) Stambler does not address whether a terminal is operated to permit deposit of funds into a banking account, much less, in response to entry of a second PIN number into

the terminal, the first PIN number being different than the second PIN number as required by step (b) of Applicant's claim 19. Furthermore, no terminal is operated in Stambler to permit user withdrawal of funds up to a second dollar amount limit from the banking account in response to entry of the second PIN number into the terminal, wherein the first dollar amount is less than the second dollar amount.

Applicant has reviewed the passages of Stambler identified in the Office Action and cannot locate any such teachings. (See column 2, lines 15-49 and column 4, lines 12-52, and column 5, line 4 through column 6, line 15) Rather, Stambler appears to be concerned with providing a method of authenticating the person seeking access to funds at an automated teller machine upon presentation of a check. In order to ensure that a person presenting the check (apparently for deposit) is authorized to receive the funds represented by the check a PIN (Personal Identification Number) and a TIN (Taxpayer Identification Number) are entered before information regarding the check being presented (including a VAN (Variable Authentication Number) is entered by the presenter. Utilizing this information, the bank's computer compares the entered information to information entered by the issuer of the check at the time the check was issued to ensure the at the person presenting the check is the person entitled to payment. Many significant differences exist between the operation of the system of Stambler and the steps of Applicant's claim 19 including steps (b) and (d). One prominent distinction is Stambler does not envision allowing a withdrawal up to a first dollar limit upon entry of a first PIN and a withdrawal up to a second dollar limit upon presentation of a second PIN. While Stamble discusses two

different PINs (a first PIN of the issuer of the instrument utilized to enter information regarding the instrument and the authorized presenter and a second PIN of the presenter), it does not envision that the first PIN can be utilized to withdraw funds of any amount. Nor does Stambler envision that upon presentation of the second PIN that an amount can be withdrawn that exceeds the first amount permitted to be withdrawn upon presentation of the first PIN. Thus, Stambler clearly does not teach steps (b) and (d) of Applicant's claim 19.

Conclusion

If Stambler's teachings of authenticationg a transaction were provided to the system of Gustin thereby modifying that system to include that capability of Stambler, the resulting combination would not arrive at the invention of Applicant's claim 19. Since neither Gustin nor Stambler (nor Walker) discloses steps (b) and (d) of Applicant's claim 19, then a system resulting from a combination of Gustin and Stambler (and Walker) does not arrive the invention of Applicant's claim 19. Accordingly, the proposed combination of Gustin, Stambler, and Walker does not establish a prima facie case of obviousness under 35 U.S.C. § 103 with regard to the invention of claim 19.

Moreover, if the rejection of claim 19 is maintained after consideration of the discussion included herein, then Applicant respectfully requests that the Examiner explain how the identified teaching, suggestion or incentive¹ would motivate one skilled in the art to modify Gustin with the teachings of Stambler.

Discussion Re: Patentability of Claims 20-28

Each of claims 20-28 depends directly or indirectly from claim 19. As a result, each of claims 20-28 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 19.

Discussion Re: Patentability of Claim 29

The discussion relating to the patentability of claim 19 is relevant to the patentability of claim 29. Thus, claim 29 is believed to be allowable over the cited art.

Discussion Re: Patentability of Claim 30-37

Each of claims 30-37 depends directly or indirectly from claim 29. As a result, each of claims 30-37 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 29.

¹ The identified motivation for modifying the teachings of Gustin with the teachings of Carlisle was "because such a modification would allow Gustin to identification to get information in the form of ID and RND1 when a prompt for input is given to provide a PIN string and PIN is confirmed.

Conclusion

In view of the foregoing remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

Respectfully submitted,

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